

**UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF PUERTO RICO**

UNITED STATES OF AMERICA,

Plaintiff;

v.

COMMONWEALTH OF PUERTO RICO,  
ET AL.,

Defendants.

No. 12-cv-2039 (GAG/PG)

**JOINT MOTION SUBMITTING RECOMMENDATIONS ON  
RESTRICTED COURT FILINGS THAT SHOULD BE UNSEALED FOR  
PUBLIC VIEWING**

COME NOW, Plaintiff, the United States of America, and Defendants, the Commonwealth of Puerto Rico, et al., (collectively, the Parties), and respectfully submit their recommendations on restricted court filings that should be unsealed for viewing by the public in compliance with the Court’s Order of December 20, 2017 (Doc. 681).<sup>1</sup> In the Order, the Court instructed the Parties to “jointly inform the Court what documents should be redacted and unrestricted and/or continue in restricted mode.” *Id.* As set forth below, the Parties recommend that the Court lift the restriction on all but four filings to allow public viewing of these documents. The Parties include a justification for the four filings that the Parties agree should remain in restricted mode.

The Parties agree that the public has a presumptive right of access to judicial documents and that compelling reasons must exist to justify continued nondisclosure of these documents.

*See United States v. Kravetz*, 706 F.3d 47, 59 (1st Cir. 2013) (internal citations omitted). Over

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<sup>1</sup> The Court extended the deadline for this joint motion to February 2, 2018 at the request of the Commonwealth (Doc. 715).

the course of this litigation, the Court has directed the Parties and the Technical Compliance Advisor (TCA) to file certain documents in restricted mode. *See, e.g.*, Order of 7/21/17, Doc. 567 (“All filings pertaining to this, or any pending matter, until reviewed and ruled upon by the court shall be filed in restricted mode. This applies to the parties and TCA.”).

There are currently 52 restricted filings in this case, and the Parties recommend unsealing 48 of these filings for public viewing. Lifting the restriction on these documents furthers the principle that “public monitoring of the judicial system fosters the important values of quality, honesty and respect for our legal system.” *In re Providence Journal*, 293 F.3d 1, 9 (1st Cir. 2002) (*quoting Siedle v. Putnam Investments*, 147 F.3d 7, 10 (1st Cir. 1998)). A list of the filings that the Parties recommend should be unsealed is attached hereto.

The Parties recommend that four filings remain in restricted mode. These filings are set forth below, together with a justification for continued non-disclosure.

<b>Dkt. No.</b>	<b>Filing</b>	<b>Justification</b>
252	Joint Response to TCA's Second Six-Month Report	This filing was redacted to protect sensitive information and re-filed in unrestricted mode at Docket 271.
588	Defs.’ Motion for Protective Order	This motion pertains to non-public information that was included in a draft report by the TCA that should remain confidential under Paragraph 269 of the Agreement for the Sustainable Reform of the Puerto Rico Police Department (Agreement) (Doc. 60).
599	Motion In Compliance as to 591 Order, 590 Order	This motion pertains to non-public information that was included in a draft report by the TCA that should remain confidential under Paragraph 269 of the Agreement.
673	Joint Informative Motion regarding Doc. 651	This motion was redacted to protect sensitive information and re-filed in unrestricted mode at Docket 682.

WHEREFORE, the Parties respectfully submit the foregoing recommendations on filings that should be unsealed for public viewing and request that the Court accept the Parties' recommendations.

Respectfully submitted, this 2nd day of February, 2018,

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#### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 2nd of February, 2018, I filed the foregoing pleading electronically through the CM/ECF system, which caused the parties, counsel of record and the Technical Compliance Advisor on the service list to be served by electronic means.

*s/Brian Buehler*  
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